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**TRUSTEESHIP
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English

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TRUSTEESHIP COUNCIL

Fourth Session

VERBATIM RECORD OF THE FORTY-SEVENTH MEETING
(Transcription from sound recording)

Lake Success, New York
Friday, 25 March 1949, at 11 a.m.

President:

Mr. LIU CHIEH

China

The PRESIDENT: I declare open the forty-seventh meeting of the fourth session of the Trusteeship Council.

EXAMINATION OF ANNUAL REPORTS.

Western Samoa, year ended 31 March 1948 -- Report of the Drafting Committee (T/275) (Continued)

The PRESIDENT: This morning we will continue to consider the Report submitted by the Drafting Committee on the Annual Report on Western Samoa.

The Council will recall that it has already adopted Part I, and yesterday we have agreed to a modification of the form of the Report by transposing the present Part III as Part II, and the present Part II as Part III.

I would therefore suggest that the Council will now turn to Part III of document T/275, which now becomes Part II of the Report. Part III begins on page 19 of document T/275.

Mr. INGLES (Philippines): We have not yet formally approved Part III of the Report, which was formerly Part II of the Report.

I take it we all approve Part I.

The PRESIDENT: That is right. Now Part III becomes Part II, so I suggest that we take Part II first and then take the new Part III, which is Part II of this Report.

Under the new arrangement, the Part III of the Draft Report becomes Part II, so I suppose that we consider Part II now.

Mr. INGLES (Philippines): The representative of the USSR has withdrawn his objections already to Part III, and I was thinking that there being no more obstacles to the adoption of Part III, we might proceed to its formal adoption.

The PRESIDENT: Yes, but that does not affect the progress of the Council, because after we have completed Part III of the present Report -- which is now Part II -- then we will adopt Part III -- which is now Part II in the present draft, and then we will proceed to the adoption of the whole Report.

I invite the Council's attention to Part III, on page 19 of document T/275.

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): The President will recall that, on behalf of the delegation of the USSR, I have reserved the right to submit some recommendations to the Council for consideration.

I have just submitted to the Secretariat the English texts of those draft recommendations, and I think they will be ready in a few minutes.

I shall read the first recommendation in Russian. By the time we proceed to the others, however, you will probably have them in written form in English, which I do not at present have before me.

In paragraph 1, Political Advancement, the USSR delegation would suggest that we include a recommendation couched in the following terms:

"The Trusteeship Council recommends to the Administering Authority the adoption of legislative and other measures which would provide for the participation of the indigenous population in the legislative, administrative and judicial organs of the Trust Territory."

Sir Carl BERENDSEN (New Zealand): The last thing I would want to do is again to annoy the representative of the USSR, but I am bound to point out that this is pure propaganda, and he knows it.

The inescapable inference from this proposal is that we make no provision for the participation of the indigenous population in the legislative, administrative and judicial organs of the Trust Territory. And everybody around this table, except the representative of the USSR, knows that that is the case.

Everybody around this table knows -- and if he does not know I will give him the assurance now -- that we will continue to use the indigenous population in these aspects of their own Government, to an increasing extent, just as fast as we find it possible to do so.

The PRESIDENT: I understand that these recommendations have been discussed in the Drafting Committee at some length.

In view of the fact that the Council desires to wind up its work today, and still has several other draft reports before it -- not to mention a number of matters that remain to be decided for the next session, such as the date of the session, the committees which will work during the

/recess

recess between sessions -- I would suggest that the general debate be as brief as possible, inasmuch as the views on this matter have been thoroughly voiced and debated, both in connexion with the Annual Reports in the Council, and also in the Drafting Committee.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): In connexion with the comment of the representative of New Zealand, I must say a few words in defence of the recommendation suggested by the USSR delegation.

We consider that this recommendation stems directly from the situation prevailing in the Trust Territory. Its submission is actuated by one concern, and one concern alone: to ensure the development of democratic institutions in the Trust Territory. No other motives have actuated us, and no such motives as intimated by the representative of New Zealand can possibly actuate us.

An analysis of the Report of the Administering Authority for 1947, document T/257, may lead to certain conclusions. The conclusions are that the legislative Act of 1947 for the Government of Western Samoa has caused very insignificant changes in the situation that prevailed since 1921.

This is a natural and logical conclusion, and it was drawn by my delegation.

My delegation advanced a number of arguments which certainly militate in favour of our conclusion. In particular it pointed out that even those recommendations which were made by the Visiting Mission of the Trusteeship Council were not sufficiently reflected in the Act of 1947, while some of those recommendations were disregarded altogether.

The delegation of the USSR pointed out that whatever modifications did take place were for the most part of a purely formal character. For instance, the new Law omits the words to the effect that Western Samoa is being governed in the same way as if it were part of the Dominion of His Majesty's Government, where the title of "Administrator" or "Governor", is replaced by the title of "High Commissioner".

These modifications are, in fact, insignificant, because in fact the High Commission^{or} has exactly the same rights as the Administrator had before. The Parliament of New Zealand has legislative authority over

Western Samoa

Western Samoa without any further restriction. This nullifies the actual genuine rights of the Legislative Assembly of the Trust Territory itself.

My delegation pointed out that the rights of the Legislative Assembly of the Trust Territory are in fact merely consultative. Furthermore, the delegation of the USSR advanced some facts which showed that the statement to the effect that that Legislative Assembly, which has only consultative functions, is controlled by a majority of Samoans, is not exact.

There is no absolute majority of Samoans in that Assembly. We built our arguments on the following facts: in the Legislative Assembly there are three representatives of the royal families; there is the High Commissioner; there are eleven Samoan members; there are five Europeans, elected by universal franchise of the European population; and there are six appointed members from among Government officials.

Such a membership shows that the representatives of the indigenous population are not able to play any substantial role in the adoption of decisions in that Council, and certainly not a determining role.

My delegation trusts that this so-called majority of the representatives of the indigenous population is a highly qualified one. We pointed out that it was impossible to consider three representatives of royal families -- actually, however, there are only two because I think that one of the seats is vacant, as the special representative told us -- and the High Commissioner, in that Assembly, as being representative of the indigenous population, since they were not elected. They are members of the Assembly ex officio, because they are representatives of the royal families of Western Samoa. Therefore they cannot be held to represent the broad interests of the indigenous population.

We further pointed out that the remaining eleven members cannot be considered as representative of the people of Samoa, either, because they are elected by the Council of Elders, and not by universal franchise like the European members. The Council of Elders itself is also not elected by universal franchise -- it is elected by the heads of clans.

That is why the delegation of the USSR submitted this recommendation, which I submit is a logical one, to the effect that the Administering Authority should take measures ensuring the participation of the indigenous population in the legislative, executive and judicial organs of the Trust Territory.

/In view of the brief

In view of the brief time at our disposal, I am unable to dwell on this question of the way in which the indigenous population participates in the executive and judicial organs of government in the Trust Territory. I have so far spoken about the legislative organs but, even without any further comments on my part, the members of the Council, I think, are well aware of the true facts in the case.

If, however, any other questions are asked, I am at the disposal of the members of the Council and I am in a position to advance the arguments of the delegation of the USSR in respect of the other two sections of our recommendation dealing with executive and judicial organs.

The PRESIDENT: If there are no further observations I should like to ask the Council to vote. I believe every member has the text before him.

The representative of the USSR has moved that, in Part III of the report on Western Samoa, there be an insertion.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): That will now be Part II and not Part III. Is that correct?

The PRESIDENT: I was referring to the working paper.

The proposal is as follows:

"The Trusteeship Council recommends the Administering Authority the adoption of legislative and other measures which would provide for the participation of the indigenous population in the legislative, administrative and judicial organs of the Trust Territory."

A vote was taken by show of hands.

The proposal was rejected by 6 votes to 3.

The PRESIDENT: Are there any further observations on Part III of the working paper, which now becomes Part II of the report?

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): In this same section on political advancement, I should like the Trusteeship Council to take under advisement the inclusion of the following suggested recommendation.

This draft refers to the tribal system which prevails in the Trust Territory. I shall now read this recommendation.

/In view of

"In view of the fact that at the present time the tribal system, which exists in the Trust Territory with the encouragement of the Administering Authority, is inconsistent with the progressive political development of the indigenous inhabitants of the Trust Territory towards self-government and independence, the Trusteeship Council recommends that the Administering Authority take steps to bring about a transition from the tribal system to a system of self-government based on democratic principles."

I may explain why the delegation of the USSR considers such a recommendation to be essential.

In the previous statements of the delegation of the USSR, when the Annual Report was considered, we indicated that, in this Trust Territory, the actual government of the country is being carried out by officials of the Administering Authority. In governing the Territory, they have recourse to the tribal system which prevails in the island.

The special representative gave us a very detailed description of the tribal system and its structure. The basic link of that system is the clan or large family, where the head of the family has complete power. The other members of the family or clan have no political rights whatsoever. The next link of the system is the Council of Elders of the village which has unlimited rights as heads of the families and which has the right to ostracize any and all inhabitants of the village or even heads of families on the slightest pretext.

Then there comes the highest organ of the tribal system which is the Council of Elders of the whole Territory which is elected by the village Councils of Elders. Thus the broad masses of the population are utterly deprived of political rights and women, of course, are completely ruled out of any political activity at all.

In this connexion -- and I think the facts are incontrovertible -- the delegation of the USSR then chose to submit a recommendation:

"In view of the fact that at the present time the tribal system which exists in the Trust Territory with the encouragement of the Administering Authority, is inconsistent with the progressive political development of the indigenous inhabitants of the Trust Territory towards self-government and independence, the Trusteeship Council recommends that the Administering Authority take steps to bring about a transition from the tribal system to a system of self-government based on democratic principles."

/Sir Carl BERENDSEN

Sir Carl BERENDSEN (New Zealand): The representative of the USSR does not like some of the customs and traditions of the Samoans.

May I read to you from Article 76 of the Charter by which we are all bound. Paragraph (b) of Article 76 makes the Administering Authority responsible

"to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned..."

No suggestion has been made -- or can be made -- that the present system in Samoa is other than in the fullest possible accord with the freely expressed wishes of the people themselves. If that is not sufficient I shall quote the Trusteeship Agreement, article 8. It says -- and remember, this has been approved by the General Assembly -- that:

"In framing the laws to be applied in Western Samoa, the Administering Authority shall take into consideration Samoan customs and usages and shall respect the rights and safeguard the interests, both present and future, of the Samoan population."

It is quite open to any of us around this table to feel and to express the view that possibly the Samoan usages are not the kind of usages that we should recommend. But while the Samoans have those usages and while they wish to continue those usages, it is our duty to endeavour to fall in to the utmost possible extent, comparable to the duties which we have undertaken, with those usages and with their desires.

That is what we intend to do and I am sorry to say to say that we shall do it whether Mr. Soldatov likes it or not.

/Mr. RYCKMANS

Mr. RYCKMANS (Belgium) (Interpretation from French): I am compelled to note that the proposal of the representative of the USSR and the motives which are advanced in justification thereof reveal, to say the least, some negligence in the reading of the documentary material which is available to the Trusteeship Council.

If the representative of the USSR had found it fit to read the documentation which is at the disposal of the members of the Council, he would be well aware that when he says that chiefs of families have unlimited rights, he forgets that there is one right that they do not have. There is the right of staying in their jobs. Whenever the clan does not like them, it can oust them and it can get a new head by democratic procedure -- a procedure which the Samoans consider much more democratic than anything that we are proud of at home. It is very simple: when the head of a clan is displeasing to the members of that clan he is ousted, one-two-three, and another one is elected.

Mr. NORIEGA (Mexico) (Interpretation from Spanish): I am very sorry to have to differ from the thesis advanced by the representative of New Zealand, but I do not think that this is the moment for us to embark upon a long discussion about a complex subject. But we must understand that the purposes of the Trusteeship System are such that they strive to achieve the political advancement of the inhabitants of the Territories.

It is clear that at first sight the representative of New Zealand seems to be right inasmuch as he believes that the policy of the Administering Authorities is covered and protected by the Trusteeship Agreement and the Charter in respect of the preservation of the tribal system. Still, it does not escape the representative of New Zealand nor any member of the Council that the tribal or clan system is not democratic.

You can see that the people of ^{Western} Samoa have not protested. There has been no rebellion or revolution against this system, but the situation is that in the present circumstances there has not been a complete and free political expression of the inhabitants in connexion with the present system.

My delegation has maintained as a point of principle that it is proper to develop the present tribal system towards a democratic system. You need only take a look at history to see that the tribal system leads directly to the feudal system. The feudal system is the

/logical conclusion

logical conclusion or consequence of the tribal system. This has nothing to do with democracy as I see it.

We have spoken here of the Declaration of Human Rights, which Declaration was approved by acclamation in the first part of the session of the General Assembly that was held in Paris. We find in that Declaration that all Members of the United Nations have expressed the belief and believe that every individual has a right to vote and to participate in government. If we note that there is no system in this Territory where the population is so advanced or is in a position to have universal suffrage, then it is logical for us to recommend that steps be taken towards the integration and coordination of a democratic system.

I do not think that there is any discrepancy between the contents of the Trusteeship Agreement and what is being postulated here in this recommendation because it cannot be understood that the text read by the representative of New Zealand from the Agreement means that the native population is going to be condemned to the eternal preservation of its primitive institutions, or that the people are going to continue to live by these primitive institutions.

Both the Trusteeship Agreement in its international aspect and wardship in private law show that the duty of the guardian is to lead the ward to a better situation. The Mexican delegation, therefore, will support this proposal for the same reason that we maintained exactly this position last year. We are going to vote in favour of the proposal.

Mr. RYCKMANS (Belgium) (Interpretation from French): The representative of Mexico said that the population of Western Samoa had not revolted against its tribal system. I will remind him, however, that when the Trusteeship Council's Visiting Mission went to Samoa to learn about the situation, the principal reproach directed against the New Zealand Administration was that the New Zealanders, actuated by their democratic spirit, sought to do what they are now being blamed for not having done. They tried to impose happiness upon those people by imposing upon them a political and social system that was contrary to all their aspirations, their yearnings, their customs, their morals and their desires. The population complained about the active attempts of the New Zealand Administration to impose upon them a democratic system and they refused to cooperate with them.

/Only the day

Only the day when the Government gave up its ill-starred attempt to impose happiness upon those people was harmony restored. In other words, the Government of New Zealand went as far as it could and we found that it had gone too far because all it met with was the opposition of the entire people -- not only the big chiefs, the chiefs of families and of tribes, but the entire population was up in arms against this move.

Mr. LIN (China): I do not wish to go into the substance of this matter which may lead us to a review of the history of human evolution.

I should like to ask for a division in voting so that the preamble clause beginning with: "In view of the fact..." and ending in the fifth line: "toward self-government and independence" be put to the vote first, and that the operative clause be voted separately.

Mr. UMARI (Iraq): My delegation has always voted in favour of transition from the tribal system to a democratic system in the Trust Territories. For that reason we are in favour of this recommendation.

However, we believe that this recommendation is so couched that it could perhaps be modified. The wording could be softened somewhat, and I appeal to our Soviet colleague to do that if he considers it possible.

Mr. GARREAU (France) (Interpretation from French): I do not know as well ^{as} the members who participated in the Visiting Mission to Western Samoa what the Samoans really want. It is possible that they are quite right in believing that their old customs and their democratic conception of existence are better than the democratic conceptions of the Occident, but if you are going to proceed to a radical change in the form of Western Samoan political life, it is necessary for the Trusteeship Council to be quite certain first that it held in common amongst its members a democratic conception.

/All those who proclaim

All those who proclaim democratic conceptions do not always agree as to the real content of these conceptions. Are all members of the Council quite certain of what they mean by democratic principles and institutions? This is a question/^{to}which, as far as I am concerned, the reply is unknown. I mean that we must not exchange words without being entirely aware of their meaning, at least in connexion with a concept like democracy. We could at least ask the Samoans themselves.

If a Samoan who is entirely developed, entirely up-to-date on the discussions of the meanings given to democracy by us here, was asked about this, he would I think first tell us, "But, gentlemen, you must first reach agreement amongst yourselves before you can recommend to my population the forms of democracy prevalent in the West."

Mr. NORIEGA (Mexico)(Interpretation from Spanish): I wish only to recall a single episode, though I might refer to many, in the history of a nation. The nation was Spain. When absolutism was reinstated, the people ran through the streets crying, "Long live the chains."

You can clearly see that certain expressions of opinion are never, or can ever be, expressions of reality. Furthermore, I remember, and you do not have to labour very hard to remember this since it is a contemporary fact, that one of the problems raised in connexion with Germany was the problem of the political re-education of the German people.

But, in accordance with the theory advanced here, it would seem that we would be willing to let the Germans, who were quite happy as Nazis, continue to be Nazis. Do we not mean to re-educate them democratically? I think we are all quite serious about that.

I would therefore remind members of the Council about this kind of principle which is the basis for renewed political education, the principle of Lord Vansittart.

If this is being carried out in Europe, in a part of the world where millions of dollars are being spent on democratic education, how can we raise the question here, what do we understand by democracy? Do we know what we mean by democracy?

There can be no doubt about this. Was there any doubt at the time when this policy was instituted in Germany, this policy of democratic education and rehabilitation? I think we were entirely serious at the time.

/This is why

This is why my delegation believes that we cannot leave the native populations entirely to their own resources as far as political advancement is concerned. We must constantly remind the Administering Authorities of their responsibility for advancing the political state of affairs in their Trust Territories.

A people which has no political education, which knows no other alternative, is bound to say it is happy if it is asked. It has no awareness of anything better.

I would therefore beg members of the Council to consider the transcendental importance of this attitude, and of the significant vote in which they are now going to take part.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I should like to reply briefly to the objections which were made against the USSR draft recommendations.

As is well known, the USSR delegation never objected to the adoption of such measures on Trust Territories as might further encourage the development of the national culture of the Trust Territories. We submitted recommendations on this item and we propose to continue to do so.

The delegation of the USSR stressed the point that every people, small or large, contributes its share to the development of world civilization and culture. The delegation of the USSR supports and champions the principle of equality of all nations, large and small. This is not merely the empty proclamation of a principle. The USSR delegation, in defence of this principle of equality of all nations large and small, bases itself upon considerable experience which it garnered in the development of its own State.

Therefore, this is not merely a declaration; it is the championing in defence of principles that have found their felicitous application in the historical development of one of the unquestionably great States of the world.

We have been told that the tribal system prevailing in Western Samoa pleases the population of that Trust Territory. I am not aware of any basis for the argument of those people who allege that this system pleases the population of the Trust Territory. The information available to the delegation of the USSR shows that the people of Western Samoa are a proud people who must have democratic traditions, and that they aspire to put the administration of the island into the hands of

/that proud

that proud democratic people for the purpose of building better its government on a democratic basis, despite the fact that the backward tribal system and those who protect this backward tribal system are doing their best to maintain the status quo.

The desire of the best elements of the people of Western Samoa to get self-government on a democratic basis is a natural aspiration, since it is merely a repetition of the general historical development of mankind. In its historical development, mankind climbed up the rungs of the ladder of progress one after the other. One of the earliest rungs of that ladder was the tribal system. Mankind proceeded however to climb higher.

After that particular rung, the tribal system which was characteristic at one time, mankind climbed higher and higher. It achieved higher democratic government and it achieved more and more democracy and self-government, in running political affairs and also in developing social relations among people.

Accordingly, the USSR delegation considers that it is inadmissible to take the position that the indigenous population of Western Samoa should be halted in its tracks, should be blocked in its historical development. Reference was made here to some provisions of the Charter, but I must say that the recommendations submitted by the USSR delegation are entirely based on the stipulations of the Charter.

In Article 76 (b), which sets forth the purposes of the trusteeship system, the Charter says:

"The basic objectives of the trusteeship system...shall be:

"b. to promote the political, economic, social and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;"

/The draft

The draft recommendation advanced by the delegation of the Soviet Union does not contemplate the destruction of the national culture of the people of Samoa, or the liquidation of the traditions and tribal customs of a gallant people.

On the contrary, what we want is to ensure the progressive democratic development of the people of the Trust Territory, fully maintaining, however, their national culture, fully maintaining the best and most fruitful elements of that national culture and promoting the democratic traditions which already prevail among the people of Western Samoa.

Therefore any accusation that the Soviet Union violates, or disregards, the desires of the population of the Trust Territory is not based on fact at all. And if any member of the Council is still not convinced I am prepared to advance a number of facts showing that the recommendation submitted by the delegation of the Soviet Union bases itself on the interests of political democratic development of the population of the Trust Territory in Western Samoa towards self-government and independence.

As regards the statement of the representative of Belgium to the effect that the delegation of the Soviet Union had not taken the trouble to study the facts sufficiently, I must say that this is rather a cheap manoeuvre by the representative of Belgium.

The representative of Belgium well knows that the recommendation submitted by the delegation of the Soviet Union is based on a desire to ensure the fulfillment of the desires of the population of the Trust Territory and is also based on the study of the factual material submitted by the Administering Authority.

In particular we studied the book written by the special representative, we studied it carefully, and we also had lengthy personal private conversations with the special representative specifically for the purpose of being well founded in fact when we submitted our recommendation.

Mr. UMARI (Iraq): I said a minute ago that the wording of the Soviet Union recommendation could be somewhat modified so as to be more in keeping with the situation in Western Samoa.

It is realized that this advance has actually been made in Western Samoa, and the Iraqi delegation has put emphasis on that in the Drafting

/ Committee

Committee and in the Trusteeship Council on more than one occasion.

I have drafted a wording which I should like to suggest for the scrutiny of the members if it is acceptable: "The Trusteeship Council recommends to the Administering Authority to ^{effect a} transition from the existing tribal system to a system of representative government compatible with the indigenous culture of the Samoans, as well as with the principle of progressive self-government."

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I should like to ask the representative of Iraq whether he could not include a phrase regarding self-government based on democratic principles.

Mr. UMARI (Iraq): I have no objection to that.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I am not at all, in general, opposed to the proposal of the representative of Iraq. On the contrary. But I would be anxious to keep this particular phrase in the text.

Mr. UMARI (Iraq): The Iraqi delegation would regard the wording as covering the arguments put forward by the representative of the Soviet Union, and also, with regard to the words he suggests, they somewhat ignore the advance that has been taken place in the Territory, and the state of political consciousness that exists in the country.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Could we get that text in writing so that we can compare it? It is difficult to proceed to drafting work orally. May I suggest that we just go on and then when the document can be distributed we can revert to this matter and take a decision.

The PRESIDENT: It sounds quite clear to me, but if representatives desire to have it typed out the Secretariat can do so in a few minutes.

I see that the representative of the Soviet Union has put in several other amendments, and we can deal with the next which is in regard to the alienation of land, which I recall was very thoroughly discussed in the Council and was voted on by the Council.

/ I should therefore

I should therefore like to appeal again to members of the Council to refrain as far as possible from going into substance.

I should not like to curtail freedom of debate but I do appeal that we should try to save time by not going into the substance of any matter which has already been thoroughly debated.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I have no particular comments to make on the recommendation; the draft recommendation is self-explanatory. If there is any question on the part of the members of the Council, I am prepared of course to answer.

I am as interested as anybody else around this table in the quick termination of our work. If there is any question, or if it is suggested that the draft recommendation does not meet the particular situation of the Trust Territory, then I am prepared to advance the facts which the Soviet delegation considers it essential to draw to the attention of the members of the Council in connexion with this draft.

The PRESIDENT: If there are no further observations I think I can put this proposal to a vote.

The proposal is:

" The Trusteeship Council recommends that the Administering Authority return to the indigenous inhabitants of the Trust Territory lands which have been alienated from them whatever the manner of alienation and to prohibit alienation of lands belonging to the indigenous population, in the future."

Sir Carl BERENDSEN (New Zealand): I do not want to hold the Council up but I am going to remind it, that the alienated lands which are in the hands of the New Zealand Government are utilized entirely for the interests of the Western Samoans, and (b) that there are the most explicit and careful reservations to the alienation of any land in any case where that alienation is not in the interests of the Samoan owner.

The rest, as has already been pointed out by the President, has previously been discussed at great length and has already been decided.

/ Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): In that case I must advance a few facts in defence of the recommendation suggested by my delegation.

My delegation has already stressed that, economically speaking, the feature of this Trust Territory is the pre-eminence of agriculture. The Administering Authority, however, is not attempting to promote the economic life of the Territory. The bulk of the population still remains under very backward conditions. My delegation made it clear that we consider this abnormal, that the best lands -- 143,360 acres -- are in the hands of the Administering Authority and of European-owners.

The delegation of the Soviet Union also considers that there is no justification for the fact that land alienated from the natives by the Germans have not yet been restored to the natives, particularly in view of the fact that these lands amount to 75,360 acres and are also very good lands. In this connexion the Soviet Union delegation considers that these lands which were alienated from the indigenous population of the Trust Territory must be restored to that population.

The Soviet Union delegation also made it clear that racial discrimination still prevails in the distribution of land. We showed facts that each European now gets about 20 acres of land while a Samoan usually has to content himself with 5 acres. As a rule the Europeans get the best lands while the Samoans get the poorest lands.

These are the considerations on which the Soviet Union delegation based itself in submitting this draft recommendation.

The PRESIDENT: Those who are in favour of the proposal by the representative of the Soviet Union, please raise their hands.

A vote was taken by show of hands.

The proposal was rejected by 6 votes to 3.

The PRESIDENT: We will now go on to the next proposal, that is:

"The Trusteeship Council recommends that the Administering Authority increase the budgetary allocations for educational requirements, and other cultural needs as well as for the public health services."

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I do not wish to delay the Council. I have no particular comments to make now since the point of view of the Soviet Union delegation was already explained during the consideration of the matter in the Council. However, if there are any questions I reserve the right, of course, to reply.

Sir Carl BERENDSEN (New Zealand): I have, of course, no questions. But I wish to quote from ^{page 22 of} the Annual Report which is at present under examination. I will quote only the amounts spent from the year 1943-44. On education -- which is one of the matters on which the Soviet Union delegation wants us to spend more money --:

In 1943-44	we spent	£ 10,000
" 1944-45	" "	£ 15,000
" 1945-46	" "	£ 18,000
" 1946-47	" "	£ 28,000
" 1947-48	" "	£ 39,000

The amount was quadrupled in four years. What is the matter with that?

On public health:

in 1943-44	we spent	£ 29,000
" 1944-45	" "	£ 36,000
" 1945-46	" "	£ 50,000
" 1946-47	" "	£ 65,000
" 1947-48	" "	£ 78,000

The amount was trebled. What is the matter with that?

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): When we consider ^{ed} the question of medical and health care and educational services in the Trust Territory we stressed the fact that the Administering Authority is not taking sufficiently effective measures for improving the medical servicing of the indigenous population of the Territory. It was stressed that there were not sufficient doctors and other medical personnel on the island. Also there are insufficient facilities for medical education, particularly the middle level of medical education as distinguished from the lower level of medical education which merely amounts to the training of practical nurses among the indigenous women.

/There is the

There is the problem of water supply which is acute in Apia, the capital of the island.

There is not a single lying-in hospital.

There are reports as to epidemic diseases due to the bad water supply of Apia.

This is the situation as regards the health services.

As regards educational services, the fact was repeatedly stressed that during the last fifteen or twenty years the Administering Authority took no measures to introduce effective high school education -- intermediate education -- in the Trust Territory. The Administering Authority confined itself to maintaining elementary educational facilities and the standards of those educational facilities do not tend to show that for the last fifteen or twenty years they have improved in quality in any way.

Accordingly, it must be stated that the Administering Authority is not giving enough care to the development of educational institutions.

We were told that the literacy percentage in the Trust Territory was high but it was exactly the same as fifteen or twenty years ago. If we analyze this question carefully we will note that in most cases -- or at least very often, as the special representative admitted -- it is considered that any person who can write out his name is literate which is rather an insufficient definition.

Insufficient intermediate educational facilities are granted. There is only one intermediate school which has twenty-seven pupils, most of them children of Europeans. The special representative conceded that he was not aware of any Samoan completing any intermediate or high school education.

As regards higher education, of course, not a single Samoan has received any university or higher education of any sort.

It was further noted that the indigenous population of the Trust Territory is still in a backward state as regards the development of its culture. The Administering Authority is not taking sufficient measures for the development of national culture or for the furtherance of national art or other expressive media of the indigenous population.

These are my replies to the comments of the representative of New Zealand and these are my arguments in favour of the Soviet Union draft recommendation.

/As regards the

As regards the figures given by the representative of New Zealand; they may be interesting; they may even be praiseworthy; they may show that the Administering Authority is doing something -- everybody knows that. But that does not mean that we should not take the situation into account and recommend increased appropriations for health and educational services; particularly since the figures quoted by the representative of New Zealand -- even the maximum figures quoted by him -- still show that the appropriations are far from sufficient if we take any minimum standards into account and if we take ^{for better services} the desires/shown by the population of the Trust Territory into account.

The PRESIDENT: Those who are in favour of the representative of the Soviet Union's proposal please raise their hands.

A vote was taken by show of hands.

The proposal was rejected by 7 votes to 1.

The PRESIDENT: The motion is lost. Have we the other text now?

I understand the text is being typed and it should come in a few minutes, as there are very minor changes.

I understand that the representative of Iraq has moved an amendment, and that the representative of the Soviet Union has accepted that with the exception of a few words only. I would like to read it now so as to prepare the Council for the vote.

The amendment would be to delete the first introductory part of the proposal so that it begins reading as follows:

"The Trusteeship Council recommends to the Administering Authority to effect a transition from the existing tribal system to a system of representative government compatible with the indigenous culture of the Samoans as well as with the principle of progressive self-government."

To this the representative of the Soviet Union would like to retain the words "based on democratic principles"

/after the

after the words "representative government"; is that right?

Mr. SOLDATOV (Union of Soviet Socialist Republics)
(Interpretation from Russian): I would like to have this included unless the representative of Iraq objects particularly, since I believe the inclusion of this phrase will not in any way harm the text of the recommendation.

Mr. UMARI (Iraq): With the wording we have suggested, the addition of these words to our mind would be somewhat superfluous or repetitive, at any rate.

The PRESIDENT: If the representative of the Soviet Union does not accept this I will put the amendment to the vote immediately. I think the Council has a clear idea of the amendment.

Mr. SOLDATOV (Union of Soviet Socialist Republics)
(Interpretation from Russian): Although I am rather anxious to include the phrase on "democratic principles", nevertheless I am still more anxious to get some kind of a unanimous decision on this matter and I am prepared to accept the draft recommendation as worded by the representative of Iraq and I do not press for a vote on this matter as an amendment.

I would consider the Iraqi proposal to have been completely substituted for the Soviet Union proposal, therefore nothing else has to be voted upon.

The PRESIDENT: The representative of Iraq did propose it as an amendment, and since it is accepted by the representative of the Soviet Union, there is no amendment except the joint text which is before us which I have already read. But for the sake of clarity I will read it once more:

"The Trusteeship Council recommends to the Administering Authority to effect a transition from the existing tribal system to a system of representative government compatible with the indigenous
/culture

culture of the Samoans as well as with the principle of progressive self-government."

I would like to ask the representative of Iraq whether he wants to take out the words "take steps to" bring this about, because he recommends the Administering Authority to effect a transition, and that kind of transition cannot be done by the stroke of a hand.

It seems to me that if the words "take steps to bring about" are deleted, it would make it quite peremptory and it does not seem to reflect the idea as I understood it.

Mr. UMARI (Iraq): Of course I understand that some correction in the English would be welcome. I have the impression that "effect" means "to bring about, to take such measures as will create that situation to bring about the transition". But I am open to any modification in the English.

The PRESIDENT: Then you will retain the words "to take steps to bring about"?

Mr. UMARI (Iraq): Yes -- "take steps", as in the original text.

The PRESIDENT: Then it would read "take steps to effect..."

Those who are in favour of this proposal please raise their hands.

A vote was taken by show of hands.

There was no majority, 6 votes being cast in favour and 6 against.

The PRESIDENT: There is no majority.

Mr. NORIEGA (Mexico) (Interpretation from Spanish): I would ask for a roll-call vote.

/The PRESIDENT:

The PRESIDENT: I will adjourn the meeting for a minute in order to vote again, according to our rules of procedure, and I will take a roll-call vote as requested by the representative of Mexico.

The Council adjourned at 12.27 p.m. and re-convened at 12.28 p.m.

The PRESIDENT: The meeting is resumed, and we will proceed to vote immediately on this proposal which is now circulated in writing.

Please ignore the words in this paper "Amendment proposed by Iraq to the Draft Resolution..." because now there is only one text and no amendment.

I will ask the Secretary to take the roll-call. Those in favour of the proposal please say "yes" and those who are against say "no".

A vote was taken by roll-call as follows:

In favour: China, Costa Rica, Iraq, Mexico,
Philippines, Union of Soviet Socialist Republics.

Against: Australia, Belgium, France, New Zealand,
United Kingdom, United States of America.

The proposal was not adopted, 6 votes being cast in favour and 6 against.

The PRESIDENT: The vote is again 6 and 6, and according to our rules of procedure there is no majority vote, therefore the motion is lost.

Now we return to Part III of document T/275 which should become Part II of the report when it is adopted.

Mr. SOLDATOV:

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I should like to ask whether it would be possible in this Part III, which are our recommendations, to clarify the wording in some places.

I may ask the Secretariat, for instance, to make clearer the wording of some of these texts. In some of these places, the texts are rather loosely phrased. For instance, some of the original texts seem to be better phrased than the translations which are in Part III.

There is no change whatsoever in substance; there would not be any new recommendations. It is simply a matter of getting the translation more into accordance with the original text.

There are a lot of sticklers who make a point of listening to every word that the USSR representative says, and, therefore, I would like to make sure that the texts of the translations here are perfectly correct, as they are included in the report.

The PRESIDENT: I think that is in order.

What are the points which need clarification?

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I reserved the right to submit the opinion of the minority. However, I wish to state that I do not intend to submit a minority report, as allowed by rule 64 of the rules of procedure.

I want this to be made clear. In other words, although I reserved the right to submit such a minority report, I shall waive the right under these circumstances.

The PRESIDENT: The right is there in the rules of procedure, and the right can be exercised, even without reservation, and does not have to be waived.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I merely said that for the information of the Council.

Mr. GERIC (United States of America): On that particular point -- just by way of information -- can that right be exercised after the report as a whole has been adopted? Or could that right only be

/exercise!

exercised during the consideration of the report?

The PRESIDENT: It depends on how the discussion goes in the Council. If a representative wants to put amendments or proposals into a part, naturally he cannot tell whether that part becomes the majority report or not until his view has been rejected.

That would mean that after the report is adopted without his own proposals, then he can invoke that right to append a minority report. In other words, sometimes a representative does not know whether his views are rejected or not. If his views become accepted, the minority view would be inserted into the report which would become a majority view.

I think that right exists until immediately after the report is adopted.

Mr. GERIG (United States of America): My point is as to whether a minority report could be put in some days after we have completed the work, or whether we would have knowledge of that report, and have an opportunity to look at it.

The PRESIDENT: I think that when a minority report is appended, the representative concerned would naturally know immediately after the adoption of the report by the Council. He would naturally have to signify such intention, and I think the case happened last year, when the representative of the USSR did bring about a minority report. The minority report was appended as representing the delegation that submitted it. Last year the Council did have an opportunity to look at the report.

But although a minority report could not be expected to be adopted by the majority -- in the sense of an endorsement of the view -- I think in all fairness the Council should know that that is a minority view, as expressed in the course of discussion.

Mr. GARREAU (France) (Interpretation from French): I would remind the President, that last year, as the President just said, the case arose of the addition of a minority report to the report of the Trusteeship Council. This minority report had been presented by the representative of the USSR.

/But the President

But, the President will also remember, that the text submitted by the representative of the USSR caused a considerable debate, and finally, the Council had to vote on that minority report. There was a vote, and a part of that minority report was excluded by a vote of the Trusteeship Council.

That is a precedent which we should all note.

Sir Carl BERENDSEN (New Zealand): Could I help to recall the Council to its muttons?

We are dealing with the Report on Western Samoa. The representative of the USSR has just told us that he does not propose to put in a minority report in connexion with Western Samoa. Can we not dispose of the Western Samoa Report, and leave any argument -- if there is to be an argument -- about minority reports until they do arise?

The PRESIDENT: I do think that is a sensible course to take, except perhaps that to dispose of the matter once and for all, I can say that this case arose last year, and I think I made some rulings in regard to that case, which are on record. If a similar case arises again, the Council will know what to do by looking up the records.

In other words, as I said, a minority report does not have to be adopted by the Council, but it has to represent the views as expressed in the Council. In other words, no extraneous matter could be introduced into a minority report by taking advantage of its being a minority report.

I am aware that the representative of the USSR has said that he may want to ask some questions for clarification.

Mr. SOLDATEV (Union of Soviet Socialist Republics) (Interpretation from Russian): What variant are we voting upon? Could the President clarify that point? What variant of Part III are we voting upon?

The PRESIDENT: Part III of document T/275. The whole of Part III. I have said again and again that it is Part III of document T/275, which, when adopted, will become Part II of our new report.

I will take a vote on the part "Conclusions and Recommendations approved by the Council."

/A vote

A vote was taken by show of hands.

Part III of T/275 (now Part II) was adopted by 9 votes to none.

Sir Alan BURNS (United Kingdom): I voted for Part III, because I presume that it does not follow necessarily that in all the reports it will be necessary to take the whole of Part III in one block.

The PRESIDENT: No. Any representative can ask for division.

Sir Carl BERENDSEN (New Zealand): I merely want to explain that I abstained, from a sense of propriety.

Mr. NORIEGA (Mexico) (Interpretation from Spanish): I would like to know whether this report is a legitimate child of the Council or not.

If it is approved in its totality, if it is entirely adopted, it would be legitimate. This is a report to the General Assembly, so that you cannot adopt just Part III, or Part II, or Part I. It is a complete document, is it not? We are adopting it entirely, so that there can subsequently be no verbal gambit engaged in to the effect that somebody conceived Part I, and then somebody else adopted it, but then we were not sure about the parentage of Part III.

/The PRESIDENT

The PRESIDENT: I think we will vote on the report in three parts, and then the Council will have the opportunity to vote on it as a whole.

Now we have completed Part I and Part III of document T/275. We now turn to the old Part II, which will become Part III of the report when the draft is adopted as a whole.

This Part contains observations of individual representatives, which are not necessarily endorsed by the Council, and in some cases have not been submitted for voting by the Council.

It must be recalled that there were some amendments introduced.

Mr. GERIG (United States of America): Does this old Part II now contain certain observations by individual members which have been taken over into the Part we have just adopted as the action of the Council as a whole? And if so is it necessary to have that repetition? I am just asking as a question of form.

The PRESIDENT: I do not quite understand.

Mr. GERIG (United States of America): A member may have made an observation in this Part and it has become substantially the action of the Council, by having been adopted in the Part which was just taken.

Should it be contained in both places?

The PRESIDENT: What do you mean, "both places"?

Mr. GERIG (United States of America): In both Parts. My delegation, for example, may have put forward an individual observation, and also put it up for a recommendation of the Council.

If it is retained by the Council as a recommendation of the Council as a whole, I would be willing to withdraw it from the old Part II.

The PRESIDENT: Any representative is free to withdraw any part that is included in this Part.

As I explained yesterday, not everything that is said must find its way into the old Part II, and in most cases it is at the request of the representatives concerned that they are inserted. Therefore, any representative is free to withdraw his observations.

/Mr. GERIG

Mr. CERIG (United States of America): I am mentioning this because my delegation feels that these reports are too long in any case, and therefore, in order to shorten the report, I should be willing, on behalf of my delegation, to withdraw any individual observations that we made that were contained in this Part, and were adopted in the new Part II and have become the action of the Council as a whole.

The PRESIDENT: In that case I would invite the representatives who desire to withdraw any observations from this Part to signify their wishes to do so. I think that can be done very rapidly.

Sir Carl BERENDSEN (New Zealand): The only thing I wanted to say is that I feel there is another thing that is too long, and that is my occupation of this griddle.

As far as I am concerned, I was under the impression that everybody was satisfied with the old Part II, and I do not see the slightest reason why we should not pass Part II, Part I, Part III and the whole report, and get on with the business.

Mr. HOOD (Australia): I also wondered whether a vote is necessary on this new Part III.

The Council agreed yesterday to adopt a certain form for the report, and it agreed also that the new Part III would contain the observations of individual members, at their request and wish.

What would be the significance for the Council to vote now on the new Part III. We have agreed to its inclusion, but the contents depend upon the members of the Council, and not upon the Council.

The PRESIDENT: I must say that the adoption of this Part does not mean that the Council must endorse all the individual observations. It signifies that the Council feels that this represents the observations that were made in the course of debate, and that they were permissible in the report. For instance yesterday, as I explained, some counter-observations may have to be made, and they have to be allowed by the Council if they were not made in the course of debate.

That was what happened in the case of one amendment I recall, that was presented by the representative of New Zealand, and which caused a

/very lengthy

very lengthy debate. I ruled that it was permissible because it was taken from the Report, and it was desirable because it presents both sides of the picture in the report to the Assembly.

Adoption by the Council means that the Council feels that that Part does reflect the course of discussion in the Council.

If we do not go through with the adoption, then I think it might be said that it does not become part of the report. But we have agreed that it should become part of the report to the General Assembly.

Sir Alan BURNS (United Kingdom): As the Council is aware, my delegation has always felt that this Part dealing with observations should not have been included.

If it is going to be included, however, and the Council has so decided, I think it should be complete and well and properly balanced. While I quite sympathize with the representative of the United States in his desire to shorten this document, which is far too long, I do think that if all the observations of certain sides of the Council are deleted in order to make the document shorter, it will result in a very unbalanced document.

Mr. UMARI (Iraq): I for my part see the worthy motive of the representative of the United States in omitting some of the observations by members.

But the representative of the United States and the rest of the members of the Drafting Committee know through what process we arrived at the recommendations and conclusions, and they were not duplicated. If they were so duplicated, of course, that would be logical and necessary, but, as they are, there were bits added, and after long bargaining and compromises we arrived at the conclusions and recommendations included in the report.

I must take this opportunity to say that we were hoping to finish this evening.

Mr. GERIG (United States of America): My remark was not intended to prolong any kind of debate here. All I was saying was that as far as my delegation is concerned, we would be willing to withdraw what we had put in as observations. I am not asking that anybody else do so. I was

/just suggesting

just suggesting that that might be one way in which I could help to shorten the report, and I do not think anyone else would object if we withdrew.

I hope that we shall not continue this. I see nothing in this Part that is duplicated, and therefore there is no point to what I said.

Sir Carl BERGMAN (New Zealand): I do not care a tin of fish whether the report is shortened -- I want to see the debate shortened.

My suggestion is that the President put the old Part II to the vote, and then put the whole thing to the vote.

The PRESIDENT: I will do that forthwith.

A vote was taken by show of hands.

Part II of document T/275 (now Part III) was adopted by 7 votes to none.

The PRESIDENT: I will now ask the Council to take Parts I, II and III together, and vote on the report as a whole.

A vote was taken by show of hands.

The report was adopted by 10 votes to none.

The PRESIDENT: The report is therefore adopted, and I do not think there is enough time left before lunch to embark upon another report.

I adjourn the Council until 2.30 p.m. precisely.

The meeting rose at 12.50 p.m.